

Message Text

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ACTION SS-25

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FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC IMMEDIATE 3162

S E C R E T MOSCOW 6649

EXDIS

E.O. 11652 XGDS-3

TAGS: PARM, UR, US

SUBJECT:TTBT NEGOTIATIONS: MEETING WITH TIMERBAYEV APRIL 28:

PNE MESSAGE 253

REF: STATE 102004,

1. EMOBOFF (JOYCE) MET WITH TIMERBAYEV APRIL 28 TO SUGGEST CHANGES AS INSTRUCTED REFTEL. TIMERBAYEV ASKED, AS HAS BECOME HIS WONT, WHAT FURTHER WORD WE HAD ON INITIALING AND SIGNING. EMBOFF ANSWERED THAT WE HAD RECEIVED NO FURTHER INSTRUCTIONS,AND TIMERBAYEV IN TURN NOTED THAT HE HAD HEARD NOTHING FURTHER FROM HIS AUTHORITIES EITHER.

2. THE FOLLOWING IS KEYED TO PARAGRAPHS OF REFTEL:

(A) PARAGRAPH 1 -- COPY OF TEXTS WE POUCHD YOU (MOSCOW 6430) IS THE SAME AS WE GAVE TIMERBAYEV. HE HAS CONTINUED TO USE THAT SAME TEXT THROUGHOUT OUR CONSULTATIONS. DURING MEETING APRIL 28 HE AGREED TO OMIT CONJUNCTIONS IN RUSSIAN TEXT OF TREATY ARTICLE III PARA 2 AS DESCRIBED REFTEL.

(B) PARAGRAPH 2 -- THIS COMMA DOES APPEAR REPEAT APPEAR IN ENGLISH TEXT FROM WHICH WE (AND TEMERBAYEV) HAVE BEEN WORKING. TIMERBAYEV HAS NOT OBJECTED TO ITS PRESENCE. THE COMMA DESCRIEED IN PARAS 4 REPEAT 4 ALSO APPEARS IN OUR TEXT. AS WE READ INSTRUCTION IN REFTEL, THESE COMMAS ARE THUS TO BE LEFT IN PLACE.

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(C) PARAGRAPH 3 -- DONE.

(D) PARAGRAPH 5 -- IN PREVIOUS DISCUSSION S EMBOFF HAD NOT RAISED QUESTION OF ABSENCE OF PHRASE "IN ACCORDANCE WITH PARA

2 OF ARTICLE III" IN ARTICLE V PARA 3(A), AND TIMERBAYEV HAD APPARENTLY NOT NOTICED ITS OMISSION. IN MEETING APRIL 28 EMBOFF RAISED ISSUE, AND TIMERBAYEV, AFTER SOME STUDY, SAID HE WOULD PREFER TO HAVE THE PHRASE INCLUDED IN THE ENGLISH TEST AS WELL. EMBOFF ACCEPTED AD REFERENDUM IN FORMAT DESCRIBED REFTEL. PLEASE ADVISE IF THE DEPARTMENT HAS OBJECTIONS.

(E) PARAGRAPH 6 -- THIS COMMA DOES NOT APPEAR IN OUR ENGLISH TEXT, AND WE HAVE CORRESPONDINGLY TAKEN IT OUT OF THE CORDEN TEXT. SAME APPLIES TO COMMA DESCRIBED PARAGRAPH 7 REFTEL. DEPARTMENT WILL HAVE NOTED, HOWEVER, THAT IN PROTOCOL ARTICLE V 6(D) IN OUR ENGLISH TEXT COMMA APPEARS AFTER "PARAGRAPH 5 OF ARTICLE III," WHILE CORDEN TEXT DOES NOT HAVE COMMA. PLEASE ADVISE.

(F) PARAGRAPH 8 --TIMERBAYEV WAS INFORMED OF THESE CHANGES, AND OFFERED NO OBJECTION.

(G) PARAGRAPH 9 -- EMBOFF INFORMED TIMERBAYEV OF THIS CHANGE IN FORMAT.

(H) PARAGRAH 10 - EMBOFF, IN CALL ON TIMERBAYEV REPORTED MOSCOW 6240, DID REPEAT DID SPECIFICALLY INFORM HIM THAT EXPLOSION EXCEEDING THE LIMIT IN TREATY ARTICLE III PARA 2(A) WOULD BE AN EXAMPLE OF A CHANGE THAT WOULD REQUIRE AN AMENDMENT CONFORMING TO OUR CONSITUTIONAL PROCEDURES.
STOESSEL

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